

REMARKS

In response to the above-identified Office Action, Applicant submits the following remarks and seeks reconsideration thereof. In the instant response, Claims 1-12 are pending in the application. Claims 1-12 are rejected. Claims 1 and 3 have been amended. Claim 2 has been cancelled. Claims 1 and 3-12 remain.

In the Action, Claims 1-12 are rejected under 35 USC 102(e) as being anticipated by Oki et al. (USPN 7,006,5134).

Applicant notes, in the Examiner's rejection of Claims 1-12, in rejecting Claim 1, the Examiner contends that the sub-scheduling means producing contention results based on only the request signals received at initiation of the contention process is met by column 7, lines 4-10 wherein it is indicated that request signals are generated in parallel suggesting that only one request signal is necessary at the start of the arbitration process. However, column 7, lines 4-10 is referring to main scheduler method **220b'**. The reference in column 7, lines 4-10 indicating that separate instances of the method **220b'** could be run in parallel for the various VOQs presumably means that in Figure 4b, instead of a loop 450/480 for each VOQ(i, j), instead there would be a main scheduler method **220b'** for each VOQ(i, j) such that Figure 4b would flow from step 440, directly to block 460, then decision block 470, then block 490. This flow would be duplicated for each VOQ(i, j). However, by having multiple instances of main scheduler **220b'**, the Examiner seems to be confusing Oki et als. main scheduler with Applicant's sub-scheduler. Additionally, if there is a main scheduler method **220b'** running in parallel for each of the VOQs, it is not seen how the Claim 1 limitation of "one of said sub-scheduler means begins executing the contention process and a second one of said sub-scheduling means finishes executing the contention process" would be possible. That is, although it is not fully understood how there could be multiple instances of main schedule method **220b'** such an embodiment would seem to require sub-scheduler means also running in parallel which would seem to preclude one sub-scheduler means beginning executing the contention process and a second sub-schedule means finishing executing the contention process. That is, although Oki et al. discloses at column 5, lines 11-12 that several sub-schedulers may be operated in a pipe-lined manner, if there are multiple instances of the main scheduler, then there would need to be several instances of sub-schedulers which presumably would run in parallel and could not run in a pipe-lined manner.

In response, Applicant has amended Claim 1 to incorporate the limitations of Claim 2 which has been cancelled in order to more clearly distinguish over the prior art.

In view of the foregoing, Applicant respectfully requests reconsideration and withdrawal of the Examiner's rejection of Claims 1-12 under 35 USC 102(e) as being anticipated by Oki et al. (USPN 7,006,5134).

In view of the foregoing, it is believed that all claims now pending, namely claims 1 and 3-12 patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207 3800.

If there are any fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666.

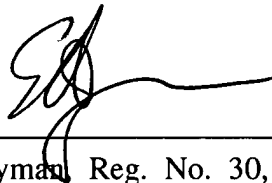
Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP

Dated: _____

2/19/08

By: _____

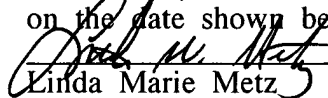


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Linda Marie Metz

2/19/08
February 19, 2008